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**NOV 19 2004**

**OFFICE OF PETITIONS**

In re Application of	:
Elms, et al.	: DECISION REFUSING STATUS
Application No. 10/743,321	: UNDER 37 CFR 1.47(a)
Filed: December 23, 2004	:
Atty. Dkt. No.: 86769-0026 US	:
For: SECURE ELECTRONIC	:
REGISTRATION AND VOTING	:
SOLUTION	:

This decision is in response to the petition under 37 CFR 1.47(a), filed November 4, 2004.


The petition is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 CFR 1.136(a).

The above-identified application was filed March 2, 2004 without an executed oath or declaration. Accordingly, a Notice to File Missing Parts of Nonprovisional Application was mailed May 21, 2004 requiring, *inter alia*, an executed oath or declaration and a surcharge.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The instant petition fails to satisfy item (2) set forth above. An oath or declaration for the patent application in compliance

the undersigned at (5)  
  
 Alesia M. Brown  
 Petitions Attorney  
 Office of Petitions